

## Minutes of Proceedings

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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Date: August 5, 2009 :

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In re: :

**Motors Liquidation Company** :

Debtor(s). :

Case No 09-50026 (REG)

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Present: Hon. Robert E Gerber  
Bankruptcy Judge

### Proceedings:

#### **Motion for Assumption and Assignment of Certain Executory Contracts and Unexpired Leases and Other Relief (Limited Contract Objections) (Karmann)**

#### **Omnibus Motion of Debtors for Entry of Order Pursuant to 11 U.S.C. Sections 105 and 365 Authorizing (a) the Rejection of Executory Contracts and Unexpired Leases with Certain Domestic Dealers and (b) Granting Certain Related Relief (Karmann)**

For the reasons set forth on the record on August 4, 2009, the outline for which is attached as Exhibit "A," the Court rules that:

(1) Determining whether or not the Tools Contract is executory requires an evidentiary hearing, but that no evidentiary hearing is required to rule on whether the Production Contract and the Service Contract are a single integrated contract;

(2) With respect to the latter matter, the two contracts are two contracts--not a single integrated contract—and that if Motors Liquidation wants to reject the Production Contract without also rejecting the Service Contract, Motors Liquidation may do so.

If either side wishes to appeal from any aspect of this determination, a separate order should be submitted, which can be settled by either side. The time to appeal, or to seek leave to appeal, from either of these determinations will run from the time of entry of that order, and not from the date of filing of these minutes of the determination.

FOR THE COURT: Vito Genna, Clerk of the Court

SO ORDERED

s/ Robert E. Gerber

United States Bankruptcy Judge

August 5, 2009

Date

Helene Blum

Courtroom Deputy